

## **BOARD OF MAYOR AND ALDERMEN**

**March 20, 2007**

**7:30 PM  
Aldermanic Chambers  
City Hall (3<sup>rd</sup> Floor)**

Mayor Guinta called the meeting to order.

The Clerk called the roll.

Present: Aldermen Roy, Gatsas, Long, Duval, Osborne, Pinard, O’Neil,  
Lopez, Shea, DeVries, Garrity, Smith, Forest

Absent: Alderman Thibault

Mayor Guinta called a five-minute recess.

Mayor Guinta called the meeting back to order.

Mayor Guinta recognized Emma Provencher and her family to come forward, stating he wanted to acknowledge Emma for something she has done. She is eight years old. Emma is a second grader at Webster School, and she decided last fall to have a yard to sale and wanted to donate the money both to the poor and to the animal shelter. Well she successfully raised more than \$500 of her own and decided to donate those proceeds again to poor families in the city and to the animal shelter. We were made aware of it and wanted to acknowledge this kind of behavior and recognize it as something good and decent about our city and I wanted to continue with the good neighbor awards and provide her with a Good Neighbor Award and it reads “Presented to Emma, for exemplifying true neighborliness among her community making the city of Manchester a better place to live by her actions.” I urge all citizens of Manchester to applaud Emma for her generosity and good will. Emma thank you very much.

Mayor Guinta recognized presenters for One Book One City Selection for this year.

David Scanell, Coordinator of School and Community Relations for the School District addressed the Board stating the School District is involved in a collaborative with a number of great organizations and we are going to hear a little bit more about representatives from those organizations in a second. Essentially what we are going to talk about tonight is a very exciting project that as the Mayor has mentioned is known as One Book One City throughout the country. It is an initiative where the Mayor assigns a book for individuals in the City to read. The chosen book this year has historic significance in Manchester. And it is Grace Metalious’ Peyton Place. We are doing this in order to celebrate the 50<sup>th</sup> anniversary of the publication of that book that really set the world on fire. Some of you who may be old enough may remember what the reaction was in the community. So what I would like to do

is thank all of the individuals who are part of this collaborative we are going pass out a list of a series of events that are planned throughout the community to signify and commemorate this important anniversary, but I do want to recognize first of all the NH Humanities Council, they are our funders and they have provided significant support for this project, and Ann Zachos whom you all know is going to speak about the Humanities Council's role in this project. Aurore Eaton really has been the individual who has done the lions share of the work to get it to this point, and she represents the Manchester Historic Association, and whenever I need credibility I always bring Ms. McCash with me, the English Department Chair of Central High School, and because Central played such a large role in Grace Metalious' life it's important that a number of events are going to take place there.

Ms. McCash stated I am very pleased and honored to be able to come before you today to talk about something that really has a wonderful association for our city. My husband who is not from this area calls Manchester the biggest small town in the world. He is not from here obviously. And while he might have started out by laughing a little bit at that I am very proud of that connotation because I think there is a lot to be said for small town values. And Grace Metalious I think also recognized that small town had a lot to say to the world beyond Manchester. She was a product of Manchester inner city, she was a graduate of Central High School, and we are most pleased to have her as part of our Central High School Hall of Fame. She grew up in a French section of our city. She grew up to marry a young Greek man and I think that we recognize that these two nationalities have played such an integral part in the growth of our city. So we at Central are very proud and very honored to be a center for a few observations of her anniversary and certainly you will be seeing them I would like to highlight a couple of them....Bob Perreault from St. Anselm's College will be speaking to our students and also to the community at large about her and her background. Some of our students will be reading from four of her books, she did write four although Peyton Place was the one that was the most popular, they will be doing that again it's open to the public. And these are part of our theatre group. We will also have a tour of the area where she lived which is very near to Central High School. That will be offered during a weekday as well as on the weekend. So small town Manchester to the Hollywood screen and to 50 years of enduring I think that says a lot for small town Manchester, and so thank you Mayor for honoring us in this manner.

Other events noted with the City as a partner the Main Library and the West Side Library will be having book discussions led by Dr. Bass in April. UNH at Manchester will be showing the movie for free, all events are free and open to the public in April. The keynote lecture at UNH Manchester will be by Artis Cameron from the University of Maine, and she is working on a biography of Grace Metalious so she has a lot of interesting things to say in observations. Also a lecture on May 1<sup>st</sup> by Jeffrey Kunitic who is on their staff a film historian, he will put the movie in context of film history. The Millyard Museum is going to have an event, four local women read Peyton Place when it first came out and they have some pretty funny stories to tell about one did hide the book under her mattress and was

discovered by her mother and was told that she could not go to the dance she wanted to go to that Friday night to be punished for this terrible crime. Another one had to sneak into her sister's room to read the book, so there are some interesting stories. All the institutions have small exhibits throughout the month of April.

Ann Zachos stated it is always nice to be part of a project that is interesting to Manchester and to the whole state as this one is. I represent the NH Humanities Council. I think probably many of you know what the work of the Humanities Council is all over the state we do programs which like this one are free to the public, in small town libraries and historic associations and even in hospitals. We are presenting programs of history and literature, ethics and philosophy so that folks will be having the opportunity to be having conversations on all kinds of topics. What happened in Manchester was that they created a really strong and wonderful proposal to the Council and so it was a pleasure to be able to fund a project about one of our own. What made the project so strong was the collaboration of some of our great institutions and they've been mentioned, the City Library, the Historic Association, Franco-American Center and of course the School Department. I like to think that Manchester really understands the value of collaboration when it comes to it's citizens and I like to get a little plug in for years ago I was part of something called Artbuilds Community and that was an initiative that really encouraged collaboration among institutions. We've talked about how people reacted when we first read the book and I'm looking around and not many of you were reading that book, but those of us who were old enough and bold enough to read her novel Peyton Place it was really a bombshell. Grace talked about hidden issues of everyday life that shocked many, many people. Today as we re-read the novel we can see why it was considered so shocking but in our humanities discussion groups the conversation will more likely focus on the issues of class, and of privilege and of poverty and of the longing and of striving. The emphasis will be much more now on how Grace Metalious' novel informs who we are today both as individuals and as a community. So I hope that some of you will take advantage of going to the programs, which is entitled "50 Years of Grace" and that you will come away with a new appreciation of what a shared conversation, a shared civil conversation can do for a community.

Mayor Guinta stated by tradition he had a proclamation which he quickly like to read:

### **A PROCLAMATION**

**WHEREAS**, this year marks the 50th anniversary of the publication of "Peyton Place," the groundbreaking novel by Manchester native and Central High School alumna Grace Metalious; and

**WHEREAS**, the novel became a cultural phenomenon that that forever shattered fixed notions of life in small town New England; and

**WHEREAS**, the publication of "Peyton Place" also shattered industry records, becoming one of the best-selling and most talked about novels of all time and spawning a popular movie and television series; and

**WHEREAS**, a number of Manchester institutions, including the school district, the Manchester Historic Association, the University of New Hampshire at Manchester, the Carpenter Memorial Library, and the New Hampshire Humanities Council have partnered to present an exciting series of events designed to celebrate this literary milestone,

**NOW, THEREFORE**, I, Frank C. Guinta, Mayor of the City of Manchester, N.H., do hereby proclaim **“Peyton Place”** to be the novel chosen as this year’s selection for Manchester’s participation in the “One Book, One City” program. Furthermore, I urge all Manchester residents to participate in the series of events planned during the month of April to mark the 50th anniversary of the book’s publication.

Given in the Aldermanic Chambers at City Hall in Manchester, this Twentieth Day of March, in the year of Our Lord two thousand and seven, and the independence of the United States of America, two hundred and thirty-one.

S/ Frank C. Guinta  
Mayor

3. Presentation by Kate Benway, Marketing and Retention Specialist, submitting draft recommendations on the launch and implementation of a comprehensive economic development marketing initiative and seeking the Board’s concurrence on the first phase.

Ms. Benway addressed the Board utilizing a power point presentation. It is a pleasure tonight to talk to you about the City’s first ever economic development marketing campaign. In 2005 as you remember Angeliou Economics delivered a report on Manchester’s economic development activities. There were a number of recommendations in that report which centered around marketing opportunity. There are several thousand municipalities across the country that engage in economic development marketing and Angeliou Economics suggested that Manchester has a story to tell and that story could attract business, investment and economic development. So with that directive MEDO applied for a grant from the Department of Resources and Economic Development at the State. We were awarded a \$25,000 marketing grant, that was matched with \$15,000 in Manchester Development Corporation money, as well as \$15,000 from the City itself. Together we were given a \$55,000 budget with which to build the infrastructure of an economic development marketing campaign, and launch the first leg of the campaign. Per the grant stipulations and our application there are a number of components that we must have completed by June 30<sup>th</sup> of this year. That includes the creation of what’s called a brand identity. Quite simply that’s a logo, tag line and marketing messages specific to economic development marketing. As far as tactics, by June 30<sup>th</sup> we must produce a trade show booth, we must overhaul our collateral pieces, collateral is simply our printed materials – brochures and booklets we pass out. We must create advertising campaigns as well as direct mail campaigns which would go to specific targeted industries. And perhaps the premier economic development marketing tool is the creation of an economic development stand-alone web-site, which would serve as our foray into the international world. We’ve been working with Info Systems on that project and have chose Silvertch as our vendor. We are partnering with them and looking forward to the creation of that web-site. Over the course of the last several months we’ve been going through this branding process. That is understanding what our marketing messages are. Gary (O’Neil) and I met with each of you individually as well as with Mayor

Guinta. We also met with over two dozen of our community and business leaders, and the points of these meetings were to simply talk about Manchester and what sets us apart. In the world of economic development marketing across the country municipalities are marketing their quality of life, their pro-business climate, their economic opportunities and certainly we have these assets but it is important in our marketing campaign what it is that makes Manchester different. What separates us from other municipalities across the country. So I am happy to report that these meetings with each of you as well as with our business and community leaders went very well and a number of assets came out and we'll share some of those with you. Folks told us that Manchester has a pro-business climate. We have low taxes and that is obviously very helpful. Folks noted that Manchester has premier access in and out of our City which is ideal for doing business. Our geographic location is fantastic. We are close to the ocean, mountains, and the airport. Folks talked about the airport being a significant economic development driver. We have above average educational and training opportunities. Our eleven colleges and universities provide significant opportunity. They also produce a trained educated and dynamic work force. The population that incoming businesses will be looking to employ. Folks said that working in Manchester or doing business in Manchester is easy because there is access to government. Folks told us that their aldermen, their mayor, even their governor is simply a phone call away and they liked that. Folks talked a lot about the sense of place that we have here in Manchester. There is a lot of pride about our communities. There is a lot of pride about our neighborhoods. We've got a great quality of life. There has been significant investment in the sports infrastructure. We have a vibrant arts and culture community. And folks told us that the City's track record in terms of economic development has been really great. So ultimately at the end of this branding process what we were told really echoed what Angeliou Economics told us, and that is that Manchester has a story to tell and we have a significant opportunity to engage in economic development marketing for the betterment of our city. I'd like to introduce now some of the graphic elements we came up with. Again this brand identity includes a logo, a tag line and marketing message which you'll see here. In the world of economic development and marketing we to have a clear and distinct message and so our logo is strong, it's professional and it creates an image that is ideal for our city. We've attached a tag line to that "Manchester is the birth place of your American Dream." This came directly out of our meetings with each of you and with our business and community leaders. Frankly people told us that Manchester is a place of opportunity. You can start your business here. You can relocate your business here. You can start your family here. This is a place where you can become involved and make the community your own. We'd like to use this as the central theme in our marketing campaign. And you would see this logo and tag line on our web site and on our marketing materials. Additionally we understand that marketing is half of the equation. On the MEDO staff we understand that we can't market something that we don't have and so we are committed to a professional response when folks call us. The leads generated from this marketing campaign will be taken seriously and MEDO staff are absolutely willing and ready to turn leads into investments. I'd like to take you now through some of the images that we will be using you might see these in the form of ads. You might

see them on our web site perhaps on the trade show booth or in our printed material. One theme line we would like to use is Your Space Your Place. Again this comes out of this whole idea that Manchester is what you make it. Our community is welcoming, it's friendly. People are at home here and they can become quickly involved. This image sends that message. This is a timely ad that we would probably use. It's a nod to NH's first in the nation primary status and certainly the traffic that will come in and out of Manchester, but certainly kind of a quippy ad that sends an invitation. We would use the image of Air Force One. Air Force One has actually landed at our airport. So we would invite company CEO's to do the same. We'd like to use some of our local companies in an ad campaign. This photograph would actually be replaced with a photograph of the brothers who started the company MAAX. MAAX is a screen printing company in the millyard. Frankly they started on a shoestring budget. It was their dream to build this company. They rented some space in the millyard and now they own a significant portion of a mill in the millyard. They are doing fantastic, and have spawned three additional companies. So we'd like to use the brothers from MAAX as well as some of our other premier companies and some of our entrepreneurial folks and in our ad campaigns as a peer to peer kind of marketing. Certainly our education opportunities, our universities and our colleges are premier assets, and this ad speaks to that. Certainly when employers are looking to move to a community they are interested in a dynamic educated labor force. We certainly have that in Manchester and we need to market that. We'd also include in this a mention about Job Corps which is another premier asset we will have in the coming years. You will also see that we have a number of our colleges listed here on the site, the eleven universities and colleges here in Manchester. We would like to feature some of our prominent CEO's in our ad campaign. We would like to bring folks like this into our ad campaign. Again this peer to peer marketing is important but sending a message of welcoming and of invitation we've got a strong economy here and we would like other businesses to come and join us. This is another image that we would like to use you will note that this is again kind of quippy and fun but it certainly sends a message about the attitude here in Manchester, the sense of invitation, the sense of warmth and welcome, the ad you will look at the top and notice that the move to Manchester generated higher sales, it also generated higher profits and higher happiness. So ultimately this is just a snippet of the campaign that we would like to introduce. This sets a fantastic foundation, some great groundwork to really grow this campaign. And remember that a marketing campaign is always dynamic its not static, it will grow and evolve as our city grows and evolves, I look forward to your input as well. One more note measuring a marketing campaign is very important. When we invest these dollars we need to be very clear about how we are measuring the return on investment and we would like to communicate that to you regularly. We will be able to build into our web site some sophisticated data tracking we will be able to track the amount of hits we've gotten. We'll use some sales tracking software to monitor the relationships that we are building. We can also use some other measurement tactics as well and I am happy to report back to this Board regularly about the progress of our marketing efforts. Tonight with your approval on what

we have accomplished so far I will happily turn my attention towards launching Manchester's first economic development marketing campaign.

Alderman Lopez moved to accept the marketing plan presented. Alderman Forest seconded the motion. There being none opposed, the motion carried.

### **CONSENT AGENDA**

Mayor Guinta advised if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

#### **Accept BMA Minutes**

- A. Minutes of meetings of the Board of Mayor and Aldermen held on November 14, 2006 (two meetings); November 28, 2006 (two meetings); December 5, 2006 (two meetings) and December 19, 2006 (two meetings).

#### **Ratify and Confirm Poll Conducted**

- B. On March 8, 2007 setting the polling hours for the Special Election in Ward 2 to be held on April 24<sup>th</sup> from 11 AM until 7 PM.  
*(Aldermen Roy, Long, Duval, Osborne, Pinard, Shea, Garrity, Smith, Forest, Lopez and O'Neil voted yea; Aldermen Gatsas, DeVries and Thibault were unavailable.)*

#### **Informational – to be Received and Filed**

- C. Minutes of the MTA Commission meeting held on January 30, 2007 and the Financial and Ridership Reports for the month of January 2007.
- E. Communication from Robert MacKenzie, Interim Director of Economic Development, submitting a response to questions raised by the Board relative to Jac Pac revenues.
- F. Communication from Robert MacKenzie, Director of Planning, submitting a draft of a series nine issue papers dealing with the environment, community development, the economy, infrastructure and transportation on behalf of a sub-committee preparing a new Master Plan for the City.

### **REPORTS OF COMMITTEES**

#### **COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION**

- G. Advising that it has accepted the Management Letter responses submitted by Kevin M. Buckley, Independent City Auditor and recommends that the Board direct Mr. Buckley to draft a revised/updated Travel Policy for BMA consideration.  
*(Aldermen Pinard, Smith and Long voted yea; Aldermen Thibault and DeVries were absent.)*

### **COMMITTEE ON ADMINISTRATION/INFORMATION SYTEMS**

- H.** Recommending that Ordinance:  
“Amending Sections 33.025 and 33.026 (License Enforcement Inspector) of the Code of Ordinances of the City of Manchester.”  
ought to pass.  
*(Unanimous vote)*
- I.** Recommending that if it is the Mayor’s intent to fill the position of Web Administrator within the Information Systems Department, the position be released so that the department may begin the recruiting process.  
*(Aldermen Lopez, Smith, Forest and DeVries voted yea; Alderman O’Neil was absent.)*

### **COMMITTEE ON HUMAN RESOURCES/INSURANCE**

- J.** Recommending that a request to re-organize the Health Department complement reinstating the Deputy Public Health Director and Public Health Preparedness Administrator positions, eliminating two Public Health Administrator positions, and providing for promotion, hiring and fund movement of other staff be approved, and for such purpose Ordinance:  
“Amending Sections 33.024, 33.025 & 33.026 (Deputy Public Health Director and Public Health Preparedness Administrator) of the Code of Ordinances of the City of Manchester.”  
is submitted with the recommendation to refer same to the Committee on Bills on Second Reading for technical review.  
*(Aldermen Garrity, Pinard and Duval voted in favor. Alderman Gatsas was opposed. Alderman Shea was absent.)*
- K.** Recommending that a request for two new Parking Control Officer positions (one full-time and one part-time) in the Parking Division be approved.  
*(Unanimous vote with exception of Alderman Shea who was absent.)*

### **COMMITTEE ON JOINT SCHOOL BUILDINGS**

- L.** Advising that it has accepted the monthly report for March 2007 as submitted by DMJM, and is forwarding same to the Board for informational purposes.  
*(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)*
- M.** Advising that it has reviewed the Solicitor’s report on appropriate use of the School Facilities Improvement Project contingency fund for specific projects and authorized the completion of the Beech Street School lighting project; the relocation of Southside Jr. High School hallway lockers; and the painting and drywall projects at the Wilson Street School.  
*(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)*

### **SPECIAL COMMITTEE ON SOLID WASTE ACTIVITIES**

- O.** Advising that it is opposed to the three current NH House Bills that are recommending a solid waste surcharge to be placed on all material that is either placed in landfills or incinerated within the state and requests that the Board of Mayor and Aldermen forward a letter in opposition to such House Bills to the State Legislature.  
*(Aldermen Roy, Lopez and Osborne voted yea; Aldermen O’Neil and Forest were absent.)*
- P.** Requesting that the School Department provide the Committee with an update of the recycling program within the schools as well as a detailed report of all solid waste expenses for the District for presentation at the next committee meeting.  
*(Aldermen Roy, Lopez and Osborne voted yea; Aldermen O’Neil and Forest were absent.)*



**HAVING READ THE CONSENT AGENDA, ON MOTION ALDERMAN O'NEIL, DULY SECONDED BY PINARD, IT WAS VOTED THAT THE CONSENT AGENDA BE APPROVED. ALDERMAN GATSAS WAS RECORDED AS ABSTAINING TO ITEM O.**

- D.** Communication from Former Mayors Dupuis and Wieczorek Congratulating the City and MCTV on 15 years of providing education and government programming for the residents in the City of Manchester.

Alderman Smith stated he wanted to commend Manchester's Community TV as you know last Sunday we had the St. Patrick's Day Parade the elements weren't the best and I think that they did a fine job and I just want to acknowledge it.

Alderman Smith moved to receive and file the communication. Alderman Forest duly seconded the motion. There being none opposed the motion carried.

Mayor Guinta extended the thanks and consideration to the Hiberians and our own Alderman O'Neil who was braving that weather on the side lines and making sure that the event went well. Alderman O'Neil and I were in communication as he was with the Highway Department to make sure that the snow was cleared and the sanding of downtown and the sidewalks and I saw the e-mails thanking the departments but it should not go unnoticed the job that the departments did in working with you and your organization. Great job by all. I think people enjoyed the parade.

**Report of Committee on Joint School Buildings**

- N.** Advising that it has requested that the School Board include the roof repairs to Hallsville School in the School Budget Proposal to be submitted to the Mayor.  
*(School Committee Members Beaudry and Gelinas and Aldermen Thibault, Roy and Long voted yea; School Committee Member Herbert was absent.)*

Alderman Shea stated I've been receiving different concerns on the part of parents from Hallsville School. They watch the program when the structural engineer was questioned by Mr. Dupuis concerning the status of the roof. He indicated and I don't know the exact words but in essence he said that it is a dangerous situation and that the roof should be repaired as soon as possible. We saw a ten year old this evening receive a special award. Well there are 10 year olds at Hallsville School deserving of safety. I can't stress that enough. We have people that in the city have received funding for different projects. Parents call me and they say projects have been funded for "a bridge to nowhere" we have also projects that have been funded for Granite Street. We have projects that have supported for Parks, for fire stations, repairs for parks and recreation different projects that they have come forward through, cemetery and some of these are very worthy but why can't we find the money to replace a roof that is jeopardizing the safety of children and teachers. It behooves all of us to say if something were to happen what is going to happen to us as responsible individuals. I can't stress that enough. My point is I'm asking you there is a program on TV that many of

us watch. You don't have to answer it's rhetorical in nature. The program is deal or no deal. You as the Mayor have a choice, either it's a deal to fund this or it's no deal. So I close with that and I thank you. I ask my colleagues on the Board if they would seriously think about coming up with the money to repair the roof of Hallsville School.

Alderman Shea moved to receive and file the communication. Alderman Forest seconded the motion.

Alderman Forest stated I sympathize with Alderman Shea wholeheartedly about this but I am not a member of the School Board and I think maybe Alderman Shea could emphasize to the School Committee on this. This is not the city's side of a project. The School Committee and the administrators of the school should be funding this project, not us on the aldermen side. I think that they should be requesting the money, and I think we should strongly support the fact that yes we are all interested in the safety of these students and that they should fund the project.

Alderman Shea stated the committee that is composed of both school committee members and aldermen.

Alderman Forest stated I was a member of that committee.

Alderman Shea stated unfortunately now you are not and I'm sure you would support it if you were, but they have recommended also that this be supported, and I believe the School Board is submitting this proposal because their particular funding has been curtailed. But I appreciate your support as well as others.

Mayor Guinta stated for the record let me first thank you for your ongoing support and concerns about Hallsville. I hope to have an announcement in the next couple of weeks about funding sources I think we all share the same concern that you have for the school and for the safety of and security of the kids that do attend that school and for all the teachers. I hope to present something to the Board in the next few weeks and hopefully we will get the concurrence of the Board to make that a priority.

There being no further discussion Mayor Guinta called for a vote. The motion carried.

**5. Ordinance to be submitted by City Clerk and City Solicitor regarding Central Business Service District Advisory Board.**

Deputy City Clerk Johnson stated there was an ordinance that was distributed to the Board, it was:

“Amending Chapter 37 Central Business Service District 37.03 Advisory Board by repealing the current language and replacing same to be consistent with the City Charter and staggered terms.”

Deputy City Clerk Johnson stated the Clerk and the City Solicitor are bringing this forward to the Board, the problem has been that the current ordinance is not consistent with the City Charter and it has created some problems as far as I understand on the Board itself and trying to replace vacancies at this time. For that reason we have developed this in concert with the Mayor’s office. It’s my understanding that if we can suspend the rules and adopt this ordinance this evening that at the next meeting the Mayor will re-nominate the majority of the board that is eligible to remain on the Board at this time and select new persons to go on those vacancies.

Mayor Guinta asked what the motion requested would be at this time.

Deputy City Clerk Johnson replied to suspend the rules and place the Ordinance on it’s final reading at this time without referral to Committees.

Mayor Guinta asked we can suspend the rules.

Deputy City Clerk Johnson replied yes.

Mayor Guinta asked on an ordinance.

Deputy City Clerk Johnson replied yes.

Mayor Guinta requested the motion.

Alderman Long so moved to suspend the rules and place the ordinance on it’s final reading at this time. Alderman Forest seconded the motion.

Alderman Roy stated I just want to make sure that I am clear. The clerk stated that the members that would be for no better term terminated by this change, you are going to re-nominate so it will stay the same.

Mayor Guinta replied yes, that is correct.

There being no further discussion, Mayor Guinta called for a vote. The motion carried.

The Ordinance was read by title only.

This Ordinance having had its final reading by title only, Alderman Long moved on passing same to be Ordained. Alderman Roy seconded the motion. There being none opposed the motion carried.

- 6.** Nominations to be presented by Mayor Guinta, if available.

No nominations were presented.

- 7.** Communication from Alderman Forest submitting the nomination of Carol Williams to succeed herself as a member of the Manchester Transit Authority Commission, term to expire May, 2012.

Alderman Forest moved to accept the nomination of Carol Williams as presented. Alderman Shea seconded the motion. There being none opposed the motion carried.

Alderman Forest moved to close nominations, and suspend the rules to confirm the nomination of Carol Williams to succeed herself as a member of the Manchester Transit Authority Commission, term to expire May, 2012. Alderman Shea duly seconded the motion. There being none opposed, the motion carried.

- 8.** Confirmation of the nomination of Mark Hobson to succeed Linda Capuchino as a member of the Personnel Appeals Board, term to expire March, 2010.

This item was removed from the agenda by Mayor Guinta.

- 9.** Confirmation of the nomination of William Bevelaqua to succeed William Trombley (resignation) as an alternate member of the Board of Adjustment, term to expire March, 2010.

Alderman Pinard moved to confirm the nomination of Mr. Bevelaqua as presented. Alderman Duval seconded the motion. There being none opposed the motion carried.

Mr. Bevelaqua was recognized.

- 10.** Confirmation of the nomination of Jay Minkarah as Economic Development Director for the City of Manchester.

Alderman Garrity moved to confirm the nomination. Alderman Duval seconded the motion.

Alderman Lopez moved to table.

Mayor Guinta stated he would not accept a tabling motion.

Alderman Lopez interjected request to appeal to the Board.

Mayor Guinta finished his comment stating I have submitted what I think is a quality and qualified candidate. I have spoken with many of you and do not feel that there are any

reasons not to move forward on an up or down vote on this nomination. I would hope after several weeks of review and discussion you all feel the importance of supporting not only the position but someone who I think is very uniquely qualified, has received the full support of the committee that recommended his name unanimously to me after interviewing not only Mr. Minkarah but others I felt and agreed with the committee's recommendation. I think at this point as we have talked about in private, the importance of this position at this time in the City is critical, so I would certainly hope that you will be supporting this nomination.

Alderman Lopez repeated his request to appeal to the Board.

Mayor Guinta stated there is an appeal to the Board regarding

Alderman Lopez stated tabling.

Deputy City Clerk Johnson stated acceptance of the motion to table if I am understanding it.

Mayor Guinta recognized Alderman Duval for a point of order.

Alderman Duval stated the vote is on the?

Deputy City Clerk Johnson replied the Mayor has stated that he will not accept a motion to table. It is my understanding that Alderman Lopez has challenged that and requested an appeal to the Board that the motion be accepted.

Mayor Guinta asked that requires how many votes.

Deputy Solicitor Arnold replied a majority vote.

Mayor Guinta asked eight or ten votes.

Deputy Solicitor Arnold replied eight votes.

Mayor Guinta noted that a roll call was requested by Alderman Gatsas.

A roll call vote was taken. Aldermen Gatsas and Smith voted nay. Aldermen Long, Duval, Osborne, Pinard, O'Neil, Lopez, Shea, DeVries, Forest, Roy voted yea. Alderman Thibault was absent. The motion carried.

Mayor Guinta stated so the motion is tabled.

Deputy City Clerk Johnson stated no, as I understand it the presiding officer was not going to allow the motion to be accepted. Alderman Lopez has made that motion you did not accept it but he appealed to the Board, they overrode that so they have said you will accept the motion to table it does not mean that the motion carried.

Mayor Guinta stated ok, so there is a motion to table.

Deputy City Clerk Johnson clarified that he has moved to table, he would need a second to that motion.

Mayor Guinta stated a motion has been made by Alderman Lopez, and is there a second to table.

Alderman DeVries seconded the motion.

Alderman Lopez requested a roll call vote.

Mayor Guinta called on Alderman Duval for discussion.

Several aldermen stated there was no discussion on a tabling.

Mayor Guinta stated he was going to allow discussion on this motion.

Alderman Lopez stated parliamentary procedure.

Mayor Guinta stated as presiding officer I am allowing Alderman Duval an opportunity to speak.

Alderman Duval stated thank you very much Mayor. Members of the Board after some serious consideration and especially in light of the process that has been undertaken over the last several months with regard to the filling of this important position to the city of Manchester and after hearing Mr. Ashooh's testimony tonight before this Board I think it is important that we do take action tonight. I think the decision has to be made. I think the committee that interviewed from a field of candidates have volunteered their valuable time and expertise to the City and I think the candidate that was selected by the Mayor and the committee is deserving of an answer this evening as to the Board's wishes so with that I support the concept of voting on this tonight.

Alderman DeVries stated thank you very much Your Honor. You and I spoke earlier today and you know very much that I do not feel that this tabling motion tonight has anything to do with the position, nor do I feel it has anything to do with the candidate. What it does have to

do with is the fact that we have not seen our budget presentation from yourself, we have not had budget deliberations. There is concern from everybody on this Board throughout the City we have heard repeated requests to keep our tax rate as low as we can for the next year. Until we see the budget I don't think we can move forward. We are within weeks of your budget presentation and that is the reason that I am supporting this tabling motion this evening, so we can approve or not approve this motion at another time with more informed information behind us. This only has to do with the budget it has to do with whether or not we are going to decide and I think Alderman Gatsas I can quote you on that this position is a want or a need for the City. And I think we will make that decision after we see what the budget looks like in just a few weeks.

Alderman Gatsas stated I appreciate my colleague wanting to engage me in this discussion, because I will remind you all that the last time this position came before us there was a 13 to 1 vote because I didn't think that we needed it. I think that we are in an economic desperate time right now with the economy dropping real estate values plummeting, Hackett Hill sitting dormant for I don't know how many years, JacPac sitting there that has an investment of \$3.5 million of the taxpayers money, so Alderman if you think that we are not playing a political football with somebody's life, that's an awful thing. This Board should take a look at what we've done. We've had a committee put forward, brought forward a name, and now for some reason, some 18 months after we put another person in that position this Board wants to wait. I'm really confused by that. I am totally confused by that.

Mayor Guinta stated he would take a final comment from Alderman Forest and then proceed with the vote.

Alderman Forest stated I was always under the impression that a motion to table was no discussion but seeing we are having it, I'm going to bring this up and I mentioned it to at least one or two of my colleagues tonight I did say that if this was going to lead to a debate about the candidate I would vote my conscience on this. And right now I see it leading to a debate about the candidate. I've gone through one of these before I didn't like it then, and I don't like it now so I would like to move the question.

Alderman O'Neil stated with all due respect to my colleague from ward 12 this is not about the candidate because I think there is a very qualified person for the position. I had a chance to speak to Mr. Minkarah last week for me and I shared this with the Mayor, I had some questions about the selection process itself not the results of the selection process, but just how it happened, how they reached the list they did. I have not had an opportunity in the last week and a half to reach out to any members of the committee. The Mayor has offered that to me I haven't had a chance to do it. This is for me not about the nominee this evening it's about me being clear with the process because I have some concerns about the selection process, and how they reached and how they took step after step. That's why I am willing tonight to vote to table. I am in no way saying at a future meeting I am going to vote against

the applicant. That's not my intent. I just need for me to have an understanding of what was involved in the selection process. For me it is not about the applicant we have a very qualified applicant in front of us, and for me he answered the thousand dollar question about living in the City of Manchester. I thought that was very important. I am very comfortable with the applicant. I just want to make sure I understand the process and how they got there.

Mayor Guinta stated this room I hope and all will continue to be about good government. Ladies and Gentlemen you have a qualified applicant before you. I have spoken to almost each and every one of you in this room and there is not one single reason that has been prevented or provided to me as to the question or concern of the validity of the applicant before us, let's do the right thing. I encourage you to do the right thing. For any of those on this Board who are concerned about the tax rate you got a mayor who wants to cut taxes. You've got a Mayor who sides with the taxpayers. Don't worry about the tax rate. If you are concerned about a tax cut being presented, don't worry about that. I'd like to see your votes then to cut taxes on behalf of the city. But I will tell you this, the economic development director position in the city is the sole position that can afford us the opportunity to bring jobs to this city and to increase the tax base. That is critical and vital to how we budget. How fiscally responsible we are as an organization, as a \$10 billion asset, how we manage that \$10 billion asset. I'd hate to think that we'd loose a qualified, one of the most qualified candidates in the city because of the actions that may occur this evening. I encourage you as members and colleagues of this Board to do the right thing. Vote for good government. Do not table this. Provide an up or down vote this evening, and a roll call vote has been requested.

A roll call vote was taken. Aldermen Lopez, Shea, DeVries, Long, and O'Neil voted yea. Aldermen Garrity, Smith, Forest, Roy, Gatsas, Duval, Osborne, and Pinard voted nay. Alderman Thibault was absent. The motion to table failed.

Mayor Guinta stated the original motion is back on the table, the confirmation motion by Alderman Garrity.

The Clerk noted the second was recorded as Alderman Duval.

Alderman Duval stated the second he believed came from Alderman Smith.

Mayor Guinta stated the motion was by Alderman Garrity, seconded by Alderman Smith. There has been a roll call requested by Alderman O'Neil.

Alderman O'Neil, DeVries, Garrity, Smith, Forest, Roy, Gatsas, Long, Duval, Osborne, and Pinard voted yea. Aldermen Lopez and Shea voted nay. Alderman Thibault was absent. The motion carried.



Alderman Gatsas moved that a unanimous ballot be cast to confirm the nomination.

Alderman Pinard seconded the motion. There being none opposed the motion carried.

Mayor Guinta recognized Mr. Minkarah and then stated I want to thank this Board I appreciate the discussion and the dialogue we've had and the ability for us to move forward in a collaborative and cohesive fashion in order to improve our city, thank you very much.

**11. Report(s) if available.**

A Report of the Committee on Community Improvement was presented recommending that the Board approve a replacement of the Sheehan/Basquil monument and authorize up to \$8,000 in expenditures from the Parks Improvement Program for such purpose.  
*(Unanimous vote)*

On motion of Alderman Osborne, duly seconded by Alderman Pinard, it was voted to accept, receive and adopt the report.

A report of the Committee on Public Safety and Traffic was presented recommending that a pilot program for In Street Pedestrian Crossing Sign Traffic Policy enclosed herein be approved for the following locations only:  
On Elm Street at Myrtle Street (North End Variety)  
On Elm Street at Orange Street (Mass. College of Pharmacy)  
On Elm Street at Carpenter Street (Mount Saint Mary's Academy)  
On Elm Street at Rowell Street (Webster School).  
*(Unanimous vote)*

Alderman Long moved to accept, receive and adopt the report. Alderman Roy seconded the motion. Mayor Guinta called for a vote. The motion carried.

Alderman Roy stated the thing I wanted to mention was that these four location were a trial pilot program and Jim Hoben is looking for feedback as to wants and needs in the individual wards so if these work on Elm Street then the idea is that we work on using them throughout the city.

Alderman Gatsas asked if there was anyone here from Traffic or Police that can tell me how many citations have been served to people for not obeying the state law of not allowing pedestrians to cross the cross-walk. Are there any citations.

There being no information readily available, Mayor Guinta requested the Chief of Police to provide that information to the Board by written communication later this week.

On motion of alderman Garrity, duly seconded by alderman Osborne, it was voted to recess the regular meeting to allow the Finance Committee to meet.

Mayor Guinta called the meeting back to order.

## **OTHER BUSINESS**

- 14.** Report(s) of the Committee on Finance, if available.

There were no reports of the Finance Committee.

- 15.** State Legislative Update to be presented by Mayor Guinta, if available.

Mayor Guinta advised there was no Legislative Update beyond what was provided with the agenda.

- 16.** Ordinance to be submitted under separate cover relative to the Wellington Hill area properties pursuant to previous action of the Board.

“Authorizing the Mayor to dispose of certain tax deeded parcels of land located in the so-called Wellington Hill area.”

On motion of Alderman Roy, duly seconded by Alderman Pinard, it was voted to read by title only.

Alderman Duval moved to suspend the rules and place the ordinance on its final reading by title only without referral to Committees.

The ordinance was read by title only.

The ordinance having had its final reading, Alderman Duval moved on passing same to be Ordained. Alderman Pinard duly seconded the motion. There being none opposed, the motion carried.

- 17.** Communication from Alderman Garrity advising of his opposition to the potential sale of property located at 132 Titus Avenue by the Moore Center Services, Inc.

Alderman Garrity stated it is a letter from me as my colleagues may remember back in September or October we had a request from the Moore Center Services to get rid of the reverter provision in the city owned parcel at the former Highland School. I’ve since been informed that circumstances have changed I don’t think it was anything intentional, but it doesn’t mean that I still have to like it, so I am just letting the Board know my opposition to that and I think that this Board in the future when it has to do any votes on reverter clauses we need to dot our i’s and cross our t’s and be a little more vigilant.

Alderman Shea stated what does that mean. In other words may I ask the City Solicitor concerning that, do we have to get something in writing so that we would have that, or is

there such a think as not having anything at all. I agree with Alderman Garrity we've had this happen before I believe and is there any way that this can happen so that we have written assurances from people asking for a reverter clause that they would in fact not sell the property within a certain period of time or is that not possible.

Deputy Solicitor Arnold replied you can get that assurance that's basically done by a reverter clause that specifies that within a certain time period or in perpetuity if the property is sold, or the use of the property is changed it reverts to the City of Manchester. In this particular case for the reasons set forth by the Moore Center, the board decided to withdraw the reverter that it sought to impose earlier so as I say the way you would assure that is either have a reverter because that is the only way you can be sure that if they make separate representation or promise and don't abide by it that the city has some recourse.

Alderman Shea stated so maybe that should be part of any kind of reverter clause.

Alderman O'Neil stated it is sad that certainly as I reviewed the past action of this Board that I am of the opinion and I know Alderman Garrity doesn't want to make a big deal out of this tonight but I'm certainly of the opinion that we were led to believe that this was for a capital improvement to that facility and that's not what's happening. It's a tough way to do business. It's a real tough way to do business in my opinion. That's what I certainly believe. I don't feel good about what went on with it.

Alderman Gatsas stated there is certainly no question that if you read the reverter clause in depth that the amount of funding that the Moore Center has put into that building and the way that the reverter clause reads they probably upon the sale aren't even going to get whole on whatever investment they've put in that building. So there is no question that when they came forward I certainly believe wholeheartedly that their intent was for a capital campaign. When the capital campaign started and they took a look a cost of renovations at \$6.5 million I don't think that anywhere in their mind that they thought they were moving. I think that when an opportunity came up I don't think that when we put the deal forward that anything changed. I don't think that the Moore Center or their Board of Directors operates in anything but in the best interest of the people of this city. So certainly I believe there are circumstances on every deal that change. We had a JacPac deal that changed, but we still did it. We had an Ash Street school deal that happened, and we did it. I think certainly we should applaud the Moore Center for what they do for this community because certainly they help people that certainly can't help themselves and the reverter clause in allowing them to go to a new building certainly it is not leaving the city high and dry with a property that is not marketable.

Alderman O'Neil stated this has nothing to do with great work that the Moore Center does. This is about a business deal with the City. So we don't need to confuse the two items. They do great work for the citizens of Manchester and Greater Manchester. This is how a

business deal was handled. And, in retrospect maybe I need to say Mr. Boynton did try to reach out to me last week and we did not have any success in speaking that was my fault, not his. But there was probably was an obligation on their part to inform us sooner than later on it and that may be where they were wrong in their efforts. I want to make sure it is perfectly clear it's not about the good work that they do, it's about business deal with the City of Manchester.

Alderman Gatsas stated certainly I don't think there was any reference that anybody was making about the Moore Center but I think there are a lot of transactions that we as city fathers take a look at and if we scrutinized before and after deals that we do in the city we probably would have pulled the plug on a lot of deals that we've done. So certainly there is no question that if we had Monday morning quarterbacks and could look at those deals in an afterthought, there are probably a lot of deals at least since I've been a Board member that a lot of Board members would look back at and say we should have changed our minds.

Alderman Lopez moved to receive and file. Alderman Garrity duly seconded the motion. There being none opposed the motion carried.

- 18.** Communication from Carol Johnson, Deputy City Clerk, requesting the Board establish polling hours for the Special General Election to be held in Ward 2 on Tuesday, May 29, 2007 from 11 AM until 7 PM.

On motion of Alderman Gatsas, duly seconded by Alderman Garrity, it was voted to so establish the polling hours on May 29, 2007 from 11 AM until 7 PM.

- 19.** Communication from Tim Soucy, Public Health Director, seeking the Board's approval that the City enter into a Logistics Trailer Agreement with the State of New Hampshire, Department of Safety.

On motion of Alderman DeVries, duly seconded by Alderman Forest, it was voted that the Logistics Trailer Agreement be approved, subject to the review and approval of the City Solicitor.

- 20.** Communication from Virginia Lamberton, Human Resources Director, requesting transfer of funds in the amount of \$9,000 from contingency to Human Resources to cover shorts in the unemployment line item.

Alderman Pinard moved to approve. Alderman Lopez seconded for discussion.

Alderman Roy asked if they had not been tabling these and holding them till the end of the year to see if they had funding.

Mayor Guinta commented that he knew there was one for Finance, but didn't know if they had any others.

Alderman O'Neil noted that was his question as well, he knew they had tabled at least two of these.

Alderman Lopez stated that Finance did have a request in it was on the table for a number of months and we removed it from the table at the last meeting so there is not a request in from Finance for \$66,000 I believe it was so they have been working that out. The question I had was is this something that can wait, or is this something that has to be paid.

Ms. Lamberton stated as my letter says the claims we have so far thorough the month of January cause it is delayed, the billing, is \$16,494. I only have \$3,500 left in the account and I'll probably get a bill for between \$2,000 and \$3,000 for February, and then I'll be out of money I won't be able to pay the bill the next month. I could get a bill for \$6,00 that happens, it's something I have absolutely no control over. And that's what's happened the last three years the Board has budgeted \$20,000 and it wasn't sufficient I had \$40,000 the year before, two years ago, and then \$39,000 last year.

Mayor Guinta stated and you have to pay monthly.

Ms. Lamberton responded yes, there is time periods we have to pay it in.

Alderman Lopez asked for a recommendation from the Finance Director.

Mr. Sherman stated this is one of those bills that comes from the State and the city really has no way to object to it. I know that HR does contest unemployment claims so I think anything that is coming through is obviously a legitimate claim. You could put it off until April but unless February comes in at 0 she is going to need the money eventually anyway. This is only a request, we would have to prepare the resolution and put it on the next Board.

Alderman Shea moved to allow the \$9,000 from contingency to be transferred. Alderman DeVries seconded the motion.

Alderman Roy stated the point I am making and I know we have to pay these claims but traditionally we handled it like we have handled it in Finance find it within your budget and then we'll move towards discussing it at the end of the year and that's what I am just asking the Mayor and the Director have that ability.

Mayor Guinta stated this is not necessarily a department line item.

Ms. Lamberton responded this is not a department line item.

Alderman Roy stated so you have no control over it.

Ms. Lamberton responded absolutely no control.

Alderman Roy stated so you couldn't move any money from any other line item in.

Ms. Lamberton responded she did not have any extra money. My budget is quite tight.

There being no further discussion Mayor Guinta called for a vote. The motion carried.

Mayor Guinta stated I think the other department heads may be feelings of pressure or concern, the expectation of the Board is to try to address those all at one time toward the end of the fiscal year.

- 21.** Purchase and Sales Agreement for proposed parcel located at Bass Island known as Tax Map TPK3, Lot 61 to be submitted by Planning Director, if available.

Mr. MacKenzie stated it was not available. They were negotiating and are awaiting a response.

Alderman O'Neil stated this is the Netch property I think we led them in a certain direction and now we are not heading in a certain direction. I just think this is a lousy way to do business.

Mayor Guinta stated I think there is a general consensus that we would like to moved forward I had a meeting with Mr. MacKenzie I share that view, I have been informed by him that there is a negotiation ongoing and it sounds like there may be a resolution soon and suggested it be received and filed and when it is completed we will hopefully do it at the next meeting.

Alderman Smith stated we dragged this on for years, and years and years and years. If you go back to the meetings we had we agreed on the finances, we didn't agree until an environmental study was completed. I did state back in March and there it be a fire. Low and behold that's what happened and the building was vacant so they got no insurance whatsoever.... I'm really interested in his being a park on the west side. It will address both Second Street and Granite Street gateway. I just like to say that I would like to commend Bob MacKenzie but I'd like to have a finalization and hopefully we can resolve this by April 3<sup>rd</sup>

Alderman Smith, seconded by Alderman Garrity, it was voted to receive and file the communication.

### **TABLED ITEMS**

- 22.** Report of the Committee on Bills on Second Reading recommending that Ordinance:
- “Amending the Zoning Ordinance of the City of Manchester by extending the B-2 (General Business) zoning district to include property currently zoned IND (Industrial) located on the south side of Gold Street east of the former Lawrence Branch of the B&M Railroad and including the following three lots Tax Map 875-14, 875-15, 875-16.”
- ought to pass.
- (Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)*  
*(Tabled 09/05/2006)*

This item remained tabled.

- 23.** Report of the Committee on Bills on Second Reading recommending that Ordinance:
- “Amending the Zoning Ordinance of the City of Manchester by extending the R-3 (Urban Multi-family) zoning district to include property currently zoned R-1B (Single-family) located on a portion of Tax Map 691 Lot 143-1 that will be on the north side of a proposed Gold Street Bypass and adjacent to Bradley Street and the New St. Augustin’s Cemetery.”
- ought to pass.
- (Aldermen Duval, Lopez, Garrity and Pinard recorded in favor; Alderman Gatsas opposed.)*  
*(Tabled 09/05/2006)*

This item remained tabled.

**24. NEW BUSINESS**

Zoning Petitions regarding  
316-322 South Main Street

Deputy City Clerk Johnson advised that the report from Planning had been received and the petition was in order.

On motion of Alderman Lopez, duly seconded by Alderman Forest, it was voted to refer the petitions to Public Hearing and to the Committee on Bills on Second Reading.

Communication from Alderman Lopez to establish a Special Committee on Alcohol and Drug Abuse/Youth Services

Alderman Lopez advised the Board that unless there was objection a special committee was to be formed. Alderman O’Neil will serve as Chairman. Members chosen by the Chair were Aldermen Duval, Pinard, Garrity and Forest.

There being no further business to come before the Board, on motion of Alderman Pinard, duly seconded by Alderman Smith, it was voted to adjourn.

A True Record. Attest.

City Clerk